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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the fountain of wisdom, You are more majestic than the mountains. Give our lawmakers the reverence for You that will motivate them to do Your will. May they labor to enhance Your glory, striving to make our Nation and world stronger and better. Lord, help them to honor Your Name, cherishing the fact that they belong to You. Show them how to use today's fleeting moments to accomplish Your purposes. Sanctify their thoughts, words, and deeds. May they set You always before them as their guide, keeping You close so that they will not be shaken.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SASSE). The majority leader is recognized.

HEALTHCARE LEGISLATION

Mr. MCCONNELL. Mr. President, every week, it seems we hear more news about the failures of ObamaCare. For instance, 2 weeks ago, we learned that nearly 70,000 people in parts of Missouri and Kansas will lose their last insurance provider on the ObamaCare

exchanges in 2018. From rural towns to Kansas City, these Americans are being left without options. Last week, we learned that thousands of ObamaCare customers in Nebraska will be left with only one provider on the exchanges and that the remaining insurer hasn't even decided if it is going to stay through 2018. This week, we learned that the number of health insurers participating in ObamaCare exchanges had declined by nearly one-quarter from 2016 to 2017.

It has become painfully clear that ObamaCare is failing to live up to its promises and is collapsing right in front of our eyes. If this failed ObamaCare status quo continues, more Americans are likely to lose their insurance options, more Americans are likely to continue seeing their premiums rise, and more Americans are likely to get caught in the downward spiral of ObamaCare.

It is time for our friends on the other side of the aisle to get serious about moving beyond the problems of this law. They spent years defending the system, promising it will get better over time and claiming others were exaggerating ObamaCare's flaws, but here is the reality our Democratic colleagues seem to be missing: ObamaCare did not get better. The problems are real and have continued to get worse.

Now Democrats are trying to blame the failures of ObamaCare on anything but—anything but—the broken healthcare law itself. They can try to shift the blame, but the American people are not going to fall for it.

Many Kentuckians have called for us to move away from ObamaCare to bring relief to families. An official report released last month showed that since ObamaCare's full enactment in 2013, average premiums in Kentucky have skyrocketed by 75 percent.

A woman from Lancaster, KY, wrote to my office recently to express her frustration. With high premiums and a staggering deductible, she asked:

Why is there a law forcing me to pay for something I can't afford? Either I can eat and pay my mortgage, or pay for insurance.

Far too many Americans face these painful choices every day because of ObamaCare. As the system continues to collapse around us, this Kentuckian and many more like her are left to deal with the consequences.

The ObamaCare status quo is unsustainable and unacceptable. Our country can do better, and our country really must do better. I hope Senate Democrats will join us as we move beyond the system's failures. They can either continue to defend this broken system with its higher costs and diminishing choices, or they can work with us to move beyond ObamaCare toward smarter healthcare solutions. What is clear is that we have to act. Otherwise, more Americans will be stuck paying the price of ObamaCare's continuing failures.

DEPARTMENT OF VETERANS AFFAIRS ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION BILL

Mr. MCCONNELL. Now, Mr. President, on another matter, like those who have called for relief from ObamaCare, many Americans across the Nation are counting on us to ensure better quality healthcare for our veterans. This is a critical issue for each of us no matter what State we come from, no matter what party we represent. Our veterans have sacrificed too much. In return, they deserve our support. We must keep the commitment we have to them when it comes to ensuring that the VA is providing the quality healthcare they rely on.

Unfortunately, as we all know, many VA facilities across the Nation have long failed to provide our Nation's heroes with the timely and effective medical attention they need. Already, Congress has taken a number of steps to improve these facilities for our veterans and to keep the faith for those

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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who have willingly and courageously fought on our behalf.

Now we can build on those efforts by passing the Department of Veterans Affairs Accountability and Whistleblower Protection Act. As the name implies, this legislation will enhance accountability measures at the VA and better enable the Department to remove—to remove—employees who are failing to meet the standards expected of them.

This bill, in conjunction with the continued administration efforts like those Secretary Shulkin announced yesterday, will further improve medical services offered to our veterans at VA facilities all across our country. It was unfortunate to see this legislation held up in a previous Congress, but I am proud that the Republican Senate has made its passage among our top priorities.

I once again recognize Veterans' Affairs Committee chairman JOHNNY ISAKSON and Senator RUBIO for the part they played in moving this very important bill forward and remaining vigilant on behalf of America's veterans. I know we are all eager to advance it today and send it on down to the White House for the President's signature.

NOMINATION OF COURTNEY ELWOOD

Mr. MCCONNELL. Now, Mr. President, one final matter, today we will confirm Courtney Elwood, the nominee for general counsel at the Central Intelligence Agency. As Chairman BURR pointed out at her hearing, Ms. Elwood has an impressive legal background. She graduated from Yale Law School before clerking under Chief Justice William Rehnquist on the Supreme Court, and she served as a former advisor to both Vice President Cheney and President Bush, as well as to the Attorney General.

In her role at the CIA, Ms. Elwood will be providing sound legal advice to Director Pompeo, ensuring accountability at the Agency as a whole, and overseeing a number of priorities that are key to supporting our Nation's intelligence community. Her nomination has already earned bipartisan support. I am sure that once she is confirmed, she will serve our country well in this new role.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

INFRASTRUCTURE

Mr. SCHUMER. Mr. President, first I want to talk about infrastructure. This week, the administration is laying out a few "proposals" on infrastructure. So far, it has been a major disappointment. President Trump pitched a trillion-dollar infrastructure plan in his

campaign and continued to mention it in the days after the election. We Democrats welcomed the idea.

One of my first conversations with the President after he was elected was about infrastructure.

I said: You called for a trillion-dollar infrastructure program.

He said to me: At least that.

I said: Sounds good to me. Let's work on it.

We have made overtures to the White House saying we would be willing to work with the President on infrastructure. I said it to the President directly several times. Democrats have been pushing for new money for infrastructure for a very long time. We even put out our own proposal, a trillion-dollar infrastructure plan, hoping it would spark a discussion.

We Democrats continue to welcome a serious and constructive dialogue on this issue, but unfortunately the President continues to disappoint. We sent our plan several months ago, and we have heard nothing for those months. Now the President seems to be intent on pushing forward an infrastructure plan on his own, one with few details, that is mostly private sector driven—that means tolls—and with minimum investment, and that would ignore a huge section of our infrastructure. The President doesn't seem to be talking to anyone but a few people in his inner circle. Some of them are financiers. Of course, they have been financing private sector infrastructure for a long time, but that is not the way we have worked in America since Henry Clay, a former—not quite a Republican. We didn't have any then, but he was a Whig—the predecessor party—and he came up with this idea of internal improvements. I remind my dear friend, the majority leader, Mr. CLAY was from Kentucky.

Internal improvements were supposed to connect what was then the east coast with the far West—Kentucky, Tennessee, Ohio—with roads over Appalachia, and ever since, we have had bipartisan support on the Federal Government building infrastructure and putting in the dollars for it but not from President Trump, at least thus far.

The President's plan is a recipe for Trump tolls from one end of America to the other. That is not what the American people are crying out for. They don't want more tolls. They want us to rebuild our crumbling water systems, bridges, schools, roads, broadband, not finance new tollroads.

Unfortunately, the President surrounds himself with bankers and financiers. These are folks who used to work at investment banks. They look at infrastructure as an investment to be made by corporations in the private sector, but infrastructure has never been a business investment.

Infrastructure has been something the government has invested in for decades and even centuries because the benefits of infrastructure have great—

what the economists call externalities. The benefits for having a good highway is not just for the people who use the highway, but if a factory locates nearby because it can get its goods there more frequently and quickly, that is a benefit. A road itself might not generate short-term profits, but a factory might locate nearby and bring jobs and economic vibrancy to an area. The private sector might not build high-speed internet all the way out to the house at the end of the road if there isn't a profit there, but our rural people are as entitled to high-speed internet as our people in urban areas and, I might add, there are large parts of my city, New York City, where that last mile isn't done because there are poorer residents and it is less profitable.

That is why there has always been the role of government to stimulate infrastructure investment, to provide support for necessary maintenance and construction which the private sector would ignore. To connect that house at the end of the road to high-speed internet so children living in it can learn, thrive, and benefit in a global economy benefits America, even if someone isn't making a huge profit immediately from the building of that broadband. It is the same with the highway, the same with the bridge, the same with water and sewer, the same with the school with internet.

The bottom line is, if the President wants to sit down with Democrats, of course we want to do it, but if he continues to take this path with a plan cooked up by Wall Street advisers, it will not succeed or it will result in such a small measure that it will not be effective.

Again, I say to the President—there is talk, I read in the newspapers—they want to do this by reconciliation, no Democratic votes, just 52 Republican votes in the Senate. The same problem they had with healthcare, the same problem they are having with tax reform, will repeat itself with infrastructure if you don't do it in a bipartisan way.

Our colleagues constantly remind us that ObamaCare didn't work because it was done by one party, but now they are letting Trump lead them to do the same thing on just about every major issue. It is a formula for failure President Trump is advocating. He hasn't been down here in Washington that long. It is up to our Republican colleagues to teach him that working in a bipartisan way is the only way you can really get things done.

So my view is, we need bipartisan ship, but the President might not get—just remember that many Republicans are very negative, initially at least, with a private sector-driven infrastructure bill because they represent rural areas.

Here is what a Republican Senator from Wyoming, Mr. BARRASSO—fine man—said: "Funding solutions that involve public-private partnerships do not work for rural areas."